

HOUSE No. 826

By Mr. Fresolo of Worcester, petition of John P. Fresolo and others for legislation to provide for a mandatory minimum sentence for the sale of illegal drugs within one thousand feet of an elderly housing project or development. The Judiciary.

The Commonwealth of Massachusetts

PETITION OF:

John P. Fresolo	Paul K. Frost
John J. Binienda	John W. Scibak

In the Year Two Thousand and Five.

AN ACT ESTABLISHING DRUG FREE ELDERLY HOUSING ZONES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 The first paragraph of section 32J of chapter 94C of the
2 General Laws, as amended by section 146 of chapter 194 of the
3 acts of 1998, is hereby further amended by striking out the first
4 sentence and inserting in place thereof the following two sen-
5 tences:— Any person who violates the provisions of sections 32,
6 32A, 32B, 32C, 32D, 32E, 32F or 32I while in or on, or within
7 1,000 feet of the real property comprising a public or private
8 accredited preschool accredited headstart facility, elementary,
9 vocational, or secondary school whether or not in session, or
10 within 1,000 feet of the real property comprising an elderly
11 housing project or development, or within 100 feet of a public
12 park or playground shall be punished by a term of imprisonment
13 in the state prison for not less than two and one-half nor more
14 than 15 years or by imprisonment in a jail or house of correction
15 for not less than two nor more than two and one-half years. For
16 the purposes of this section, an elderly housing project or devel-
17 opment shall include government financed or subsidized housing
18 for the elderly and privately funded housing for the elderly.